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7 **BEFORE THE**
8 **BOARD OF REGISTERED NURSING**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2012-79*

12 **Barry David Parker**

A C C U S A T I O N

13 **8019 E. Sundew Drive**
14 **Tucson, AZ 85710**

15 **Registered Nurse License No. 727397**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., R.N. ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
21 Department of Consumer Affairs.

22 2. On or about June 3, 2008, the Board issued Registered Nurse License Number
23 727397 to Barry David Parker ("Respondent"). The Registered Nurse License was active at all
24 times relevant herein but became delinquent on May 31, 2010 and has not been renewed.

25 **JURISDICTION**

26 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent
27 part, that the Board may discipline any licensee, including a licensee holding a temporary or an
28 inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of
the Nursing Practice Act.

1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Disciplinary Action by the Arizona Board of Nursing)**

3 8. Respondent is subject to discipline pursuant to Section 2761 subdivision (a)(4) of the
4 Code on the grounds of unprofessional conduct because he was disciplined by the Arizona State
5 Board of Nursing ("Arizona Board"), as follows:

6 9. On or about August 4, 2009, the Arizona Board issued a Consent Agreement and
7 Order in the disciplinary action entitled, *In the Matter of Registered Nurse License No.:
8 RN075496 Issued to Barry David Parker*. In the Consent Agreement and Order the Arizona
9 Board placed Respondent's license on twenty four months' probation for failing to properly
10 assess patients and failing to accurately document patient records. The Arizona Board made the
11 following findings of fact, to which Respondent admitted:

12 a. From February 29, 2008 through January 19, 2009, Respondent was employed at
13 Health South Rehabilitation Hospital in Tucson. In January 2009, the hospital complained to the
14 Board that Respondent had failed to properly assess patients and document their records. The
15 Board investigated.

16 b. The investigation found Respondent had made repeated errors. He had twice
17 removed medication from a dispensing machine without documenting its administration, return,
18 or disposal. During an assessment, he had failed to see and to document a patient's ankle wound.
19 He did not notice that a patient in his care who he had assessed had pneumonia and was in
20 respiratory distress. And he failed to assess or to document a patient's pain level before
21 administering pain medication.

22 c. The Arizona Board concluded Respondent had engaged in unprofessional conduct,
23 by engaging in conduct or practice that is or might be harmful or dangerous to the health of a
24 patient as provided in Arizona Administrative Code R4-19-403.

25 10. For this conduct, the Arizona Board disciplined Respondent by placing his license on
26 twenty four months' probation. During his probation, he was, among other conditions, required
27 to take courses on documentation, physical assessment, and nursing ethics, to notify his
28 employers of his probation, and to practice under the supervision of another registered nurse.

11. Under Section 2761 subdivision (a)(4) of the Code, the Arizona Board's disciplinary action against Respondent for unprofessional conduct is ground for the California Board to take its own disciplinary action.

PRAYER

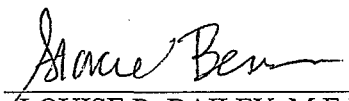
WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1.1. Revoking or suspending Registered Nurse License Number 727397, issued to Barry David Parker;

1.2. Ordering Barry David Parker to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code Section 125.3; and,

1.3. Taking such other and further action as deemed necessary and proper.

DATED: August 5, 2011

for 
LOUISE R. BAILEY, M.Ed., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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